

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

LUANN THOMAS,	:	
Plaintiff,	:	
	:	
v.	:	No. 5:21-cv-03288
	:	
BRANDYWINE HOSPITAL, LLC and	:	
TOWER HEALTH,	:	
Defendants.	:	

ORDER

AND NOW, this 18th day of February, 2022, upon consideration of Defendants' Motion to Dismiss for Failure to State a Claim, ECF No. 16, Plaintiff's response thereto, ECF No. 17, Defendants' reply in support of their motion, ECF No. 18, and for the reasons set forth in the Court's Opinion issued this date, **IT IS HEREBY ORDERED THAT:**

Defendants' motion, ECF No. 16, is **GRANTED in part and DENIED in part** as follows:

a. Plaintiff's claims in Count I, which include (1) disability-based Discrimination under the ADA, (2) Retaliation under the ADA, and (3) Hostile Work Environment under the ADA, and Plaintiff's claim in Count II for Retaliation under the FMLA **may proceed as pleaded.**

b. Plaintiff's claim in Count II for Interference under the FMLA is **DISMISSED with prejudice.**

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge